

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Akio KONISHI

Serial No.: 09/934,546

Filed: August 23, 2001

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TC 1700

Examiner: A. Konishi Burch

Art Unit: 1742

For: APPARATUS FOR FABRICATING POWDERY THERMOELECTRIC
MATERIAL AND METHOD OF FABRICATING POWDERY
THERMOELECTRIC MATERIAL USING THE SAME

RESPONSE UNDER 37 C.F.R. § 1.111

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

October 17, 2002

Dear Sir:

The following remarks are submitted in response to the Official action mailed September 19, 2002. The Official action mailed September 19, 2002, set forth a thirty-day period for response, making this response due on or before October 19, 2002.

REMARKS

The Official action sets forth a restriction requirement under 35 U.S.C. § 121 between the following groups of invention:

- I. Claims 1 and 2, drawn to an apparatus for fabricating, classified in class 266, subclass 114, and

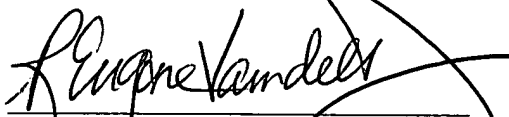
II. Claims 3 and 4, drawn to a method of fabricating a thermoelectric material, classified in class 75, subclass 343.

The Official action required the applicant to elect one of the aforesaid groups of invention for an examination on the merits. Applicant hereby elects the group I invention, including claims 1 and 2, and drawn to an apparatus.

The foregoing is believed to be a complete and proper response to the Official action mailed September 19, 2002. In the event there are any questions, it is respectfully requested that the undersigned be telephoned at the below listed number to resolve any outstanding issues.

In the event this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees which may become due, may be charged to our Deposit Account No. 22-0256.

Respectfully submitted,
VARNDELL & VARNDELL, PLLC
(formerly Varndell Legal Group)



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